

# EXHIBIT “1”

# F A X

McMullin Injury Law

**To:** Qualitas Ins. - Attn: Alejandro Castro

**Fax number:** +16195667977

**From:** Teri Arredondo

**Fax number:** 4356739989

**Date:** Monday, August 22, 2022 8:32 AM, PDT

**Pages:** 17

**Regarding:** RE: Claim# 15240

**Phone number for follow-up:** +4356739990

## Comments:

Please see the attached order of the court. Pursuant to the court's order, you have 30-days to respond to the attached lawsuit. You can reach Nate Langston at 435-673-9990 if you have any questions.

Kigan Martineau, Bar #15299  
Nathan Langston, Bar #13785  
**McMULLIN INJURY LAW, PLLC**  
301 N. 200 E. Suite 3C  
St. George, UT 84770  
Phone: (435) 673-9990  
Fax: (435) 673-9989  
[kigan@stginjurylaw.com](mailto:kigan@stginjurylaw.com)  
[nate@stginjurylaw.com](mailto:nate@stginjurylaw.com)  
*Attorneys for Plaintiff*

---

IN THE FIFTH JUDICIAL DISTRICT COURT  
IN AND FOR WASHINGTON COUNTY, STATE OF UTAH

|   |   |
|---|---|
| <p>TREVOR V. POPE,</p> <p>Plaintiff,</p> <p>v.</p> <p>VM GLOBAL TRANSPORT, LLC, a<br/>California Corporation, and MARCO C.<br/>ORDUNO,</p> <p>Defendants.</p> | <p><b>SUMMONS</b></p> <p>Civil No. 220500415</p> <p>Judge Jeffrey C. Wilcox</p> |
|---|---|

---

TO: MARCO C. ORDUNO  
c/o VM GLOBAL TRANSPORT, LLC  
3065 Beyer Boulevard, Suite B-103  
San Diego, California 92154

THE STATE OF UTAH TO THE ABOVE-NAMED DEFENDANT:

You are summoned and required to answer the attached Complaint within 21 days after service of this Summons, or if service is made upon you out of the State of Utah, within 30 days.

You must file your written answer with the Clerk of the Court at the following address: Fifth Judicial District Court, 206 West Tabernacle Street, St. George, Utah 84770; and you must mail or deliver a copy to Plaintiff's attorneys at the address listed above. If you fail to do so, Judgment by Default may be taken against you for the relief demanded in the Complaint.

DATED this 7th day of July, 2022.

McMULLIN INJURY LAW

*/s/ Nathan Langston*

---

Kigan Martineau  
Nathan Langston  
Attorneys for Plaintiff

Kigan Martineau, Bar #15299  
Nathan Langston, Bar #13785  
**MCMULLIN INJURY LAW, PLLC**  
301 N. 200 E. Suite 3C  
St. George, UT 84770  
Phone: (435) 673-9990  
Fax: (435) 673-9989  
[kigan@stginjurylaw.com](mailto:kigan@stginjurylaw.com)  
[nate@stginjurylaw.com](mailto:nate@stginjurylaw.com)  
*Attorneys for Plaintiff*

---

IN THE FIFTH JUDICIAL DISTRICT COURT  
IN AND FOR WASHINGTON COUNTY, STATE OF UTAH

---

TREVOR V. POPE,

Plaintiff,

v.

VM GLOBAL TRANSPORT, LLC, a  
California Corporation, and MARCO C.  
ORDUNO, an individual,

Defendants.

**SUMMONS**

Civil No. 220500415

Judge Jeffrey C. Wilcox

---

TO: VM GLOBAL TRANSPORT, LLC  
c/o Jorge Garcia  
3065 Byer BLVD STE B-103  
San Diego, California 92154

THE STATE OF UTAH TO THE ABOVE-NAMED DEFENDANT:

You are summoned and required to answer the attached Complaint within 21 days after service of this Summons, or if service is made upon you out of the State of Utah, within 30 days.

You must file your written answer with the Clerk of the Court at the following address: Fifth

Judicial District Court, 206 West Tabernacle Street, St. George, Utah 84770; and you must mail or deliver a copy to Plaintiff's attorneys at the address listed above. If you fail to do so, Judgment by Default may be taken against you for the relief demanded in the Complaint.

DATED this 7<sup>th</sup> day of July, 2022.

McMULLIN INJURY LAW

*/s/ Nathan Langston*

---

Kigan Martineau  
Nathan Langston  
Attorneys for Plaintiff

Kigan Martineau, Bar # 15299  
Nathan Langston, Bar #13785  
**MCMULLIN INJURY LAW, PLLC**  
301 N. 200 E. Suite 3C  
St. George, UT 84770  
Phone: (435) 673-9990  
Fax: (435) 673-9989  
[kigan@stginjurylaw.com](mailto:kigan@stginjurylaw.com)  
[nate@stginjurylaw.com](mailto:nate@stginjurylaw.com)  
*Attorneys for Plaintiffs*

---

IN THE FIFTH JUDICIAL DISTRICT COURT

IN AND FOR WASHINGTON COUNTY, STATE OF UTAH

---

TREVOR V. POPE,

Plaintiff,

v.

VM GLOBAL TRANSPORT, LLC, a  
California Corporation, and MARCO C.  
ORDUNO,

Defendants.

COMPLAINT – TIER III

Civil No. 220500415

Judge Jeffrey C. Wilcox

---

**COMES NOW** Plaintiff TREVOR V. POPE and complains of Defendants VM

GLOBAL TRANSPORT, LLC, and MARCO C. ORDUNO as follows:

**PARTIES**

1. At all times herein mentioned, Plaintiff TREVOR V. POPE (hereinafter “Trevor” or “Plaintiff”) was and continues to be a resident of Iron County, State of Utah.

2. Upon information and belief, at all times relevant herein, Defendant VM GLOBAL TRANSPORT, LLC, (hereinafter “VM Global Transport” or “Defendant VM Global Transport”) was a licensed California corporation doing business in San Diego County, California.

3. Plaintiff is informed and believes MARCO C. ORDUNO (hereinafter “Marco” or “Defendant Orduno”) was at all relevant times a resident of El Lago, Tijuana, Mexico.

### **JURISDICTION AND VENUE**

4. All defendants reside outside the state of Utah, and thus venue is appropriate in the above-entitled court pursuant to Utah Code Ann. §78B-3-307 (1953 as amended).

5. This action is of a civil nature, and jurisdiction is conferred pursuant to Utah Code Ann. §78A-5-102, (1953 as amended).

### **TIER ELECTION**

6. Pursuant to Rule 26(c) of the Utah Rules of Civil Procedure, Plaintiffs elect Tier III discovery.

### **APPLICABLE RULES/STANDARDS**

7. Tractor trailer drivers travelling at slow speed may not suddenly switch lanes into the path of faster moving traffic already established in that lane.

8. Tractor trailer drivers must signal their intent to switch lanes for at least 2 seconds before moving their semi into an adjacent travel lane.

9. Tractor trailer drivers may not operate their semis at a speed that is so slow that it poses a risk of danger to other motorists traveling at speeds within the flow of traffic.

10. Tractor trailer companies must hire competent and safe drivers.



11. Tractor trailer companies must ensure that its drivers are properly trained and supervised.

12. A driver that violates the above safety rules and as a result hurts someone is responsible for all the harm caused.

13. A tractor trailer company that fails to ensure its driver is competent is responsible for all the harm caused.

### **GENERAL FACTUAL ALLEGATIONS**

14. Plaintiffs incorporate herein by reference the allegations contained in paragraphs 1 - 13 above.

15. VM Global Transport is a California company that was doing business in the State of Utah at the time of the subject incident.

16. VM Global Transport is an active regional carrier moving general freight from Southern California to all points in the western United States.

17. Upon information and belief, VM Global Transport operates approximately 22 trucks and trailers and employs approximately 24 drivers.

### **Defendant VM Global Transport Hires Marco Orduno**

18. Defendant VM Global Transport is required to hire only safe and qualified drivers.

19. Defendant VM Global Transport is required to make sure that its drivers, including Marco Orduno, are adequately trained on how to drive its large company trucks.

20. Defendant VM Global Transport is required to supervise and make sure its drivers, including Marco Orduno, are driving the trucks in a safe manner.

21. A commercial driver's license (CDL) is required to operate Defendant VM Global Transport's trucks.

22. Defendant VM Global Transport is required to follow the Federal Motor Carrier Safety Regulations (FMCSR) for any drivers operating trucks that are considered "commercial vehicles."

23. Defendant VM Global Transport is required to perform a pre-employment screening of any CDL drivers. This pre-employment screening includes the following components:

- a) Inquiry to previous employers for the applicant's safety performance history for the preceding three years;
- b) Driver's application;
- c) Inquiry to State Agencies for a 3-year driving record or motor vehicle record (MVR);
- d) Drug and alcohol screening.

24. In addition to the pre-employment screening, Defendant VM Global Transport is required to request and review its drivers'/employees' motor vehicle record each year of employment.

25. Defendant VM Global Transport hired Marco Orduno.

26. As part of Defendant Orduno's job duties, he drives VM Global Transport's trucks and equipment.

27. Defendant VM Global Transport chooses not to provide adequate training to Defendant Orduno to ensure its drivers are safe.

28. Defendant VM Global Transport did not adequately supervise Defendant Orduno to ensure its drivers were safe.

### **Marco Orduno's Knowledge**

29. Defendant Orduno completed driver's education to obtain his driver's license.

30. Defendant Orduno was issued a Class A commercial driver's license.

31. Defendant Orduno was taught and knew he had the responsibility to do the following:

- a) Pay attention to the road and maintain a proper lookout;
- b) Pay attention to the conditions of traffic;
- c) Maintain control of his vehicle;
- d) Obey all traffic signs and signals;
- e) Not drive distracted;
- f) Obey all traffic safety laws.

32. Defendant Orduno knew that driving on Utah's highways required a high degree of concentration and awareness and that not paying attention to traffic around him could result in a violent crash.

### **The Crash**

33. On May 6, 2021 at approximately 6:15 pm, Marco Orduno is driving his VM Global Transport tractor trailer northbound on I-15 near mile marker 30.

34. There are three northbound lanes on I-15 in that area.
35. Marco's speedometer says 45 mph.
36. Marco is approaching an incline grade on I-15.

37. He is travelling in the outside lane.

38. There is another tractor trailer in front of Marco traveling at a slower speed as the trucks approach the incline grade.

39. Marco turns his steeringwheel to the left and his truck and trailer enter the number two (middle) lane.

40. Marco hears a collision and feels an impact.

41. Marco sees in his side mirror that the rear driver's side portion of his trailer made contact with a Dodge pickup truck.

42. Marco sees extensive damage to the passenger side of the Dodge.

43. Marco stays within his truck and calls his company, VM Global Transport.

44. The driver of the Dodge pickup is Plaintiff Trevor Pope.

45. The force of the collision caused Trevor's body to lunge forward and his legs were jammed up under the dashboard and steering wheel.

46. Trever suffers physical injuries.

47. Marco was in the course and scope of his employment with VM Global Transport Company at the time of the incident.

#### **FIRST CAUSE OF ACTION**

##### **(Negligent Employment & Grossly Negligent Employment – VM Global Transport)**

48. Plaintiff incorporates herein by reference the allegations contained in paragraphs 1 – 47 above.

49. Defendant VM Global Transport had a duty to hire qualified and safe employees.

50. Defendant VM Global Transport had a duty to train its employees to be safe employees.

51. Defendant VM Global Transport had a duty to supervise its employees.

52. Defendant VM Global Transport had a duty to only retain qualified and safe employees.

53. Defendant VM Global Transport had a duty to promote safe driving practices amongst its employees that drive as part of their job duties.

54. Defendant VM Global Transport breached these duties to Plaintiff when it hired Defendant Orduno in the following respects:

- a. It failed to properly screen Marco in the hiring process;
- b. It failed to properly train Marco once hired;
- c. It failed to properly supervise Marco;
- d. It negligently retained Marco once it had knowledge that Marco was not a competent driver.

55. As a direct and proximate result of Defendant VM Global Transport's negligence/gross negligence, plaintiff sustained injuries as detailed above.

**SECOND CAUSE OF ACTION**  
**(Negligent Entrustment & Grossly Negligent Entrustment – VM Global Transport)**

56. Plaintiff incorporates herein by reference the allegations contained in paragraphs 1 – 55 above.

57. Defendant VM Global Transport had a duty to only permit safe drivers to drive its trucks and vehicles.

58. Defendant VM Global Transport had a duty to not allow careless, reckless, or incompetent drivers to drive its trucks and vehicles.

59. Defendant VM Global Transport breached these duties to Plaintiff when it permitted Defendant Orduno to drive its trucks because it knew that Marco was not a competent driver.

60. As a direct and proximate result of Defendant VM Global Transport's negligent entrustment, Plaintiff was injured as detailed above.

**THIRD CAUSE OF ACTION**  
**(Negligence & Gross Negligence – Defendant Orduno)**

61. Plaintiff incorporates by reference the allegations contained in the paragraphs 1 – 60 above.

62. As a driver of a tractor trailer on Utah highways, Defendant Orduno had a duty to drive safely on the highway.

63. Defendant Orduno was negligent and grossly negligent in the following respects:

- a. He changed lanes without making sure the movement could be made with reasonable safety;
- b. He failed to signal his intent to change lanes;
- c. He was driving at an unsafe speed;
- d. He failed to pay attention to traffic; and
- e. Such other acts of negligence yet to be disclosed.

64. Defendant Orduno had a duty to drive in a reasonably safe manner.

65. Defendant Orduno was negligent and grossly negligent in the operation of his tractor trailer.

66. As a direct and proximate result of Defendant Orduno's negligence and gross negligence, Plaintiff was injured.

**PUNITIVE DAMAGE CLAIM**  
**(VM Global Transport & Marco Orduno)**

67. Plaintiff incorporates by reference the allegations contained in the paragraphs 1 – 66 above.

68. Plaintiff hereby makes a claim for punitive damages based on the alleged facts contained herein.

69. Specifically, Defendant VM Global Transport knew that Defendant Orduno had demonstrated careless/reckless driving behavior, and despite this knowledge, hired Defendant Orduno to drive its commercial trucks. Also, with this knowledge about Defendant Orduno, Defendant VM Global Transport allowed Defendant Orduno to drive its truck on the day of the crash. This conduct manifested a knowing and reckless disregard for the rights and safety of the public including Plaintiff.

70. Alternatively, if Defendant VM Global Transport didn't know that Defendant Orduno had demonstrated careless/reckless driving behavior, then Defendant VM Global Transport hired a driver to drive its commercial trucks that it had not qualified as a safe and competent driver. This conduct manifested a knowing and reckless disregard for the rights and safety of the public including Plaintiff.

71. Defendant Orduno knew the dangers and consequences of pulling in front of a faster moving vehicle with his tractor-trailer. Defendant Orduno knew that doing so with a commercial truck would likely result in serious injury or death to the occupants of that vehicle. Despite this knowledge, Defendant Orduno chose to not pay attention to the other vehicles around him and chose to suddenly move into another lane of travel without verifying the

movement could be made with safety. Defendant Orduno's conduct manifested a knowing and reckless disregard for the rights and safety of the public, including Plaintiff.

### **REQUEST TO ALLOCATE FAULT**

72. Pursuant to Utah Code Annotated §78B-5-818(4)(a), Plaintiff hereby requests that an allocation of fault be made among the parties at trial.

### **DAMAGES**

73. Plaintiffs incorporate by reference the allegations contained in the paragraphs 1 – 72 above.

74. As a direct and proximate result of Defendants VM Global Transport and Orduno's wrongful, knowing and reckless, negligent, and grossly negligent acts and omissions, Plaintiff suffered injuries which required Plaintiff to incur past and future medical expenses in an amount to be proven at trial and be awarded by a jury.

### **PRAAYER FOR RELIEF**

**WHEREFORE**, Plaintiff prays for judgment against Defendants as follows:

A. For past, present and future special damages, including medical expenses, out-of-pocket expenses and consequential damages in an amount to be established at trial;

B. For past, present and future general damages, including physical pain and suffering, emotional pain and suffering, loss of enjoyment of life, and increased likelihood of re-injury or aggravation to a pre-existing condition in an amount to be established at trial or agreed upon through settlement;

C. For punitive damages in an amount to be proven at trial and awarded by a jury;

D. For costs of suit herein;



E. For the above-mentioned compensatory damages to protect societal interests in human life, health, and safety, and deter harmful behavior by requiring individuals whose conduct harms those around them to bear the full cost of their actions.

F. For pre- and post-judgment interest as allowed by law; and

G. For prejudgment and post-judgment interest, costs of court, and such other relief as this Court deems equitable.

DATED this 7<sup>th</sup> day of July 2022.

MCMULLIN INJURY LAW

*/s/ Nathan Langston*

---

Kigan Martineau  
Nathan Langston  
Attorneys for Plaintiff

**PLAINTIFF'S ADDRESS:**  
c/o MCMULLIN INJURY LAW  
301 North 200 East  
Suite 3C  
St. George, Utah 84770

Kigan Martineau, Bar #15299  
Nathan Langston, Bar #13785  
**McMULLIN INJURY LAW, PLLC**  
301 N. 200 E. Suite 3C  
St. George, UT 84770  
Phone: (435) 673-9990  
Fax: (435) 673-9989  
[kigan@stginjurylaw.com](mailto:kigan@stginjurylaw.com)  
[nate@stginjurylaw.com](mailto:nate@stginjurylaw.com)  
*Attorneys for Plaintiff*

---

IN THE FIFTH JUDICIAL DISTRICT COURT

IN AND FOR WASHINGTON COUNTY, STATE OF UTAH

---

TREVOR V. POPE,

Plaintiff,

v.

VM GLOBAL TRANSPORT, LLC, a  
California Corporation, and MARCO C.  
ORDUNO,

Defendants.

**EX PARTE MOTION TO SERVE  
DEFENDANTS VIA ALTERNATIVE  
MEANS PURSUANT TO RULE 4, URCP**

Civil No. 220500415

Judge Jeffrey C. Wilcox

---

Plaintiff, Trevor V. Pope, by and through his counsel of record Kigan Martineau and Nathan Langston of McMullin Injury Law, hereby moves this Court for an Order to allow service of the Summons and Complaint on Defendants VM Global Transport, LLC, and Marco C. Orduno, VM Global Transport's driver, by emailing a copy of the Summons and Complaint to Defendants' insurance carrier claims representative Alejandro Castro at Fax No. 619-566-7977.

Plaintiff has used reasonable diligence to ascertain the current whereabouts of Defendants and provide service but has been unable to locate Defendants for purposes of personal service.

Plaintiff, through counsel, has been in touch with Defendant's Auto Insurance Carrier's agent, Alejandro Castro, and is asking that service be made upon him.

Rule 4(d)(5)(A), U.R.C.P., states that "If the identity or whereabouts of the person to be served are unknown and cannot be ascertained through reasonable diligence... or if there is good cause to believe that the person to be served is avoiding service, the party seeking service may file a motion to allow service by some other means. An affidavit or declaration supporting the motion must set forth the efforts made to identify, locate, and serve the party, or the circumstances that make it impracticable to serve all of the individual parties."

The present case involves a motor vehicle crash between a pickup truck and a semi tractor trailer. Plaintiff Pope's Complaint states that Defendant Orduno, a VM Global Transport tractor trailer driver side-swiped Pope on the freeway just north of St. George. Pope alleges injuries as a result of the collision. The police report associated with the crash identifies Marco Orduno as the semi driver and VM Global Transport as the commercial carrier. The report lists Orduno's address in Tijuana, Mexico and VM Global Transport's address in Tijuana, Mexico. VM Global is incorporated in California and a business entity search provides the business address and registered agent in San Diego, California. Attempts to have Defendant's served at its registered address in San Diego have come up empty. Plaintiff now seeks an order from the Court allowing him to serve Defendants by faxing the Complaint and Summons to the insurance adjuster for Qualitas Insurance that has been actively handling the claim on behalf of Defendants.

This Motion is based on the following facts and supporting *Affidavit* attached hereto as *Exhibit A*.

- a. On July 11, 2022, Plaintiff's counsel filed a Complaint with the Fifth Judicial District Court in and for Washington County, State of Utah. *See Complaint Tier - III.*
- b. The case involves a motor vehicle crash with injuries.
- c. A business entity search through the California Secretary of State indicates that at the time of the crash, Defendants' principal business address and mailing address was as follows: 3065 Beyer Boulevard, Suite B-103, San Diego, California 92154. *Ex. B: Business Entity Search VM Global.*
- d. On July 11, 2022, the Complaint and Summons was emailed to Court OPS to be served on Defendants.
- e. On July 20, 2022, I was informed that the process server for Court OPS had attempted service and was unable to find Defendants at the address in San Diego, California. *Ex. C: Proof of Non-service*
- f. The process server, Don Goodwin, reported as follows:  
  
On 7/14/2022: "VM Global Transport, LLC is listed on the A-Z directory [at 3065 Beyer Boulevard, Ste B-103, San Diego, California 92154], but not Jorge Garcia [the registered agent for the business]. Need a key card to get to the second floor suites. I called the leasing office at (619) 955-0070, but no answer. Waited for someone to arrive or leave, ut no foot traffic."  
  
On 7/18/2022 "Was able to get up to the second floor suites, but knocked on 3 of the suites, but no one answered their doors. The company VM Global Transport, LLC is not one of the companies here." *Id.*
- g. No other contact information for Defendants can be reasonably ascertained.

Plaintiff has been in contact with Defendants' insurance carrier, Qualitas, since the claim arose. As the insurer, Qualitas has a duty to defend the lawsuit and will hire counsel for

Defendants upon proper service. Accordingly, Plaintiff asks the Court to allow service upon Defendants by faxing a copy of the Summons and Complaint, together with the order of the Court, to Alejandro Castro, Claims Representative for Qualitas Insurance, Defendants' insurance carrier. The insurance company will also then be able to notify Defendants of the pending action and hire counsel to represent them.

Plaintiff seeks an order allowing service to be completed by confirmation that the Summons and Complaint, along with a Copy of the Court's Order, have been faxed to Alejandro Castro at 619-566-7977, Defendants' Insurance claims representative at Qualitas, under Claim No. 15240. Defendants will have 30 days from proof of service to file a responsive pleading.

DATED this 9<sup>th</sup> day of August, 2022.

McMULLIN INJURY LAW

*/s/ Nathan Langston*

---

Nathan Langston  
Attorney for Plaintiff

# EXHIBIT A



Kigan Martineau, Bar # 15299  
Nathan Langston, Bar #13785  
**McMULLIN INJURY LAW, PLLC**  
301 N. 200 E. Suite 3C  
St. George, UT 84770  
Phone: (435) 673-9990  
Fax: (435) 673-9989  
[kigan@stginjurylaw.com](mailto:kigan@stginjurylaw.com)  
[nate@stginjurylaw.com](mailto:nate@stginjurylaw.com)  
*Attorneys for Plaintiff*

---

IN THE FIFTH JUDICIAL DISTRICT COURT

IN AND FOR WASHINGTON COUNTY, STATE OF UTAH

---

TREVOR V. POPE,

Plaintiff,

v.

VM GLOBAL TRANSPORT, LLC, a  
California Corporation, and MARCO C.  
ORDUNO,

Defendants.

**AFFIDAVIT OF NATHAN LANGSTON  
IN SUPPORT OF PLAINTIFF'S  
EX PARTE MOTION TO SERVE  
DEFENDANTS VIA ALTERNATIVE  
MEANS PURSUANT TO RULE 4, URCP**

Civil No. 220500415

Judge Jeffrey C. Wilcox

---

STATE OF UTAH,                     )  
  ) ss:  
County of Washington.         )

I, Nathan Langston, being first duly sworn upon oath, depose and state the following:

1. I am counsel for Plaintiff in the above-captioned matter.

2. I have used reasonable diligence to ascertain the whereabouts of Defendants in the following particulars:

- a. On July 11, 2022, I filed a Complaint with the Fifth Judicial District Court in and for Washington County, State of Utah.
- b. The case involves a motor vehicle crash with injuries.
- c. A business entity search through the California Secretary of State indicates that Defendants' principal business address and mailing address is as follows:  
3065 Beyer Boulevard, Suite B-103, San Diego, California 92154.
- d. On July 11, 2022, the Complaint and Summons was emailed to Court OPS to be served on Defendants.
- e. On July 20, 2022, I was informed that the process server for Court OPS had attempted service and was unable to find Defendants at the listed address in San Diego, California.
- f. The process server, Don Goodwin, reported as follows:  
  
On 7/14/2022: "VM Global Transport, LLC is listed on the A-Z directory [at 3065 Beyer Boulevard, Ste B-103, San Diego, California 92154], but not Jorge Garcia [the registered agent for the business]. Need a key card to get to the second floor suites. I called the leasing office at (619) 955-0070, but no answer. Waited for someone to arrive or leave, ut no foot traffic."  
  
On 7/18/2022 "Was able to get up to the second floor suites, but knocked on 3 of the suites, but no one answered their doors. The company VM Global Transport, LLC is not one of the companies here."
- g. No other contact information for Defendants can be reasonably ascertained.

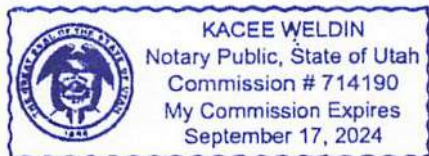



DATED this 9<sup>th</sup> day of August, 2022.

McMULLIN INJURY LAW

  
\_\_\_\_\_  
Nathan Langston  
Attorney for Plaintiff

SUBSCRIBED AND SWORN to before me on this 1 day of July, 2022.



  
\_\_\_\_\_  
Notary Public  
Residing in: St. George, Utah

My Commission Expires:

09/17/2024

# EXHIBIT B

Home

Search

Forms

Help

## Business Search

The California Business Search provides access to available information for **corporations**, **limited liability companies** and **limited partnerships** of record with the California Secretary of State, with **free PDF copies** of over 17 million imaged business entity documents, including the most recent imaged Statements of Information filed for Corporations and Limited Liability Companies.

Currently, information for Limited Liability Partnerships (e.g. law firms, architecture firms, engineering firms, public accountancy firms, and land survey firms), General Partnerships, and other entity types are **not contained** in the California Business Search. If you wish to obtain information about LLPs and GPs, submit a Business Entities Order paper form to request copies of filings for these entity types. Note: This search is not intended to serve as a name reservation search. To reserve an entity name, select Forms on the left panel and select Entity Name Reservation ? Corporation, LLC, LP.

### Basic Search

A Basic search can be performed using an entity name or entity number. When conducting a search by an entity number, where applicable, **remove "C"** from the entity number

[Skip to main content](#) State

VM GLOBAL TRANSPORT, LLC  
(201418410198)



#### Request Certificate

|                            |   |
|----------------------------|---|
| Initial Filing Date        | 07/02/2014  |
| Status                     | Active  |
| Standing - SOS             | Good  |
| Standing - FTB             | Good  |
| Standing - Agent           | Good  |
| Standing - VCFCF           | Good  |
| Formed In                  | CALIFORNIA  |
| Entity Type                | Limited Liability Company - CA  |
| Principal Address          | 3065 BEYER BLVD STE B-103<br>SAN DIEGO, CA 92154  |
| Mailing Address            | 3065 BEYER BLVD STE B-103<br>SAN DIEGO, CA 92154  |
| Statement of Info Due Date | 07/31/2022  |
| Agent                      | Individual<br>3701048<br>JORGE GARCIA<br>3065 BEYER BLVD STE B-103<br>SAN DIEGO, CA 92154 |



View History



Request Access

Home

Search

Forms

Help

Partnerships, Cooperatives, Name Reservations, Foreign Name Reservations, Unincorporated Common Interest Developments, and Out of State Associations). The basic search performs a contains ?keyword? search. The Advanced search allows for a ?starts with? filter. To search entities that have a status other than active or to refine search criteria, use the **Advanced** search feature.

**Advanced Search**

An Advanced search is required when searching for publicly traded disclosure information or a status other than active.

An Advanced search allows for searching by specific entity types (e.g., Nonprofit Mutual Benefit Corporation) or by entity groups (e.g., All Corporations) as well as searching by ?begins with? specific search criteria.

**Disclaimer:** Search results are limited to the 500 entities closest matching the entered search criteria. If your desired search result is not found within the 500 entities provided, please refine the search criteria using the Advanced search function for additional results/entities. The California Business Search is updated as documents are approved. The data provided is not a complete or certified record.

Although every attempt has been made to ensure that the

[Skip to main content](#) State

VM GLOBAL TRANSPORT, LLC  
(201418410198)

**Request Certificate**

|                            |   |
|----------------------------|---|
| Initial Filing Date        | 07/02/2014  |
| Status                     | Active  |
| Standing - SOS             | Good  |
| Standing - FTB             | Good  |
| Standing - Agent           | Good  |
| Standing - VCFCF           | Good  |
| Formed In                  | CALIFORNIA  |
| Entity Type                | Limited Liability Company - CA  |
| Principal Address          | 3065 BEYER BLVD STE B-103<br>SAN DIEGO, CA 92154  |
| Mailing Address            | 3065 BEYER BLVD STE B-103<br>SAN DIEGO, CA 92154  |
| Statement of Info Due Date | 07/31/2022  |
| Agent                      | Individual<br>3701048<br>JORGE GARCIA<br>3065 BEYER BLVD STE B-103<br>SAN DIEGO, CA 92154 |



View History



Request Access

Home

Search

Forms

Help

consequence, or damage resulting directly or indirectly from reliance on the accuracy, reliability, or timeliness of the information that is provided. All such information is provided "as is." To order certified copies or certificates of status, (1) locate an entity using the search; (2)select Request Certificate in the right-hand detail drawer; and (3) complete your request online.

VM global t

Advanced

Results: 1

Entity Information

Initial Filing Date

VM GLOBAL  
TRANSPORT,  
LLC  
(201418410198)

07/02/2014

VM GLOBAL TRANSPORT, LLC  
(201418410198)



Request Certificate

|                            |   |
|----------------------------|---|
| Initial Filing Date        | 07/02/2014  |
| Status                     | Active  |
| Standing - SOS             | Good  |
| Standing - FTB             | Good  |
| Standing - Agent           | Good  |
| Standing - VCFCF           | Good  |
| Formed In                  | CALIFORNIA  |
| Entity Type                | Limited Liability Company - CA  |
| Principal Address          | 3065 BEYER BLVD STE B-103<br>SAN DIEGO, CA 92154  |
| Mailing Address            | 3065 BEYER BLVD STE B-103<br>SAN DIEGO, CA 92154  |
| Statement of Info Due Date | 07/31/2022  |
| Agent                      | Individual<br>3701048<br>JORGE GARCIA<br>3065 BEYER BLVD STE B-103<br>SAN DIEGO, CA 92154 |



View History



Request Access

# EXHIBIT C



|   |  |                               |                    |                           |
|---|--|-------------------------------|--------------------|---------------------------|
| Attorney of Party Without Attorney (Name and Address)<br>McMullin Injury Law, PLLC<br>301 N. 200 E.<br>St. George UT Ste. 3C<br>Attorney For: PLAINTIFF |  | Telephone No:<br>435 673-9990 | FOR COURT USE ONLY |                           |
|   |  | Reference Number:<br>141437   |                    |                           |
| In the Fifth Judicial District Court<br>In and For Washington County, State of Utah   |  |                               |                    |                           |
| Plaintiff/Petitioner: Trevor V. Pope<br>Defendant/Respondent: VM Global Transport, LLC  |  |                               |                    |                           |
| <b>PROOF OF SERVICE</b>   |  | Hearing Date:                 | Time:              | Case Number:<br>220500415 |

Summons; Complaint

I am and was on the dates herein mentioned, over the age of eighteen years and not a party to the above entitled action. I received the above described process on 7/11/2022 and after due diligent effort I have been unable to effect personal service on the within named:

Person Served : VM Global Transport, LLC a California Corporation

Address : 3065 Beyer Boulevard, Ste. B-103  
San Diego, CA 92154.

| Date      | Time:   | Comments:  |
|-----------|---------|--|
| 7/14/2022 | 3:30pm  | VM Global Transport, LLC is listed on the A-Z directory, but not Jorge Garcia. Need a key card to get to the second floor suites. I called the leasing office at (619)955-0070, but no answer. Waited for someone to arrive or leave, but no foot traffic. |
| 7/15/2022 | 9:07am  | Same as previous attempt.  |
| 7/18/2022 | 10:07am | Was able to get up to the second floor suites, but knocked on 3 of the suites, but no one answered their doors. The company VM Global Transport, LLC is not one of the companies here.   |

7. Person Serving (name, address, and telephone No.):

**Court OPS, Inc.**  
5693 South Redwood Road  
Taylorsville, UT 84123  
801 261-9000 Fax 801 281-0800

Fee for service: \$ 50.00

Don Goodwin

Registered California process server:


(i) employee

(ii) Registration No.: 3036

(iii) County: San Diego

8. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 7/19/2022

  
(Signature)

Kigan Martineau, Bar #15299  
Nathan Langston, Bar #13785  
**McMULLIN INJURY LAW, PLLC**  
301 N. 200 E. Suite 3C  
St. George, UT 84770  
Phone: (435) 673-9990  
Fax: (435) 673-9989  
[kigan@stginjurylaw.com](mailto:kigan@stginjurylaw.com)  
[nate@stginjurylaw.com](mailto:nate@stginjurylaw.com)  
*Attorneys for Plaintiff*

---

IN THE FIFTH JUDICIAL DISTRICT COURT  
IN AND FOR WASHINGTON COUNTY, STATE OF UTAH

---

TREVOR V. POPE,

Plaintiff,

v.

VM GLOBAL TRANSPORT, LLC, a  
California Corporation, and MARCO C.  
ORDUNO,

Defendants.

**ORDER GRANTING PLAINTIFF'S EX  
PARTE MOTION TO SERVE  
DEFENDANTS VIA ALTERNATIVE  
MEANS**

Civil No. 220500415

Judge Jeffrey C. Wilcox

---

The Court, having reviewed *Plaintiff's Ex Parte Motion to Serve Defendants Via Alternative Means Pursuant to Rule 4, U.R.C.P.*, and finding good cause therefor,

IT IS HEREBY ORDERED that Plaintiff may serve Defendants by Faxing a copy of the Summons and Complaint and this Order to claims representative Alejandro Castro c/o Qualitas Insurance Company at 619-566-7977. Confirmation that the Fax went through will constitute proof of service. Defendants will have 30 days to file a responsive pleading.

**\*\*\* Executed and entered by the Court as indicated at the top of the first page \*\*\***



Kigan Martineau, Bar #15299  
Nathan Langston, Bar #13785  
**McMULLIN INJURY LAW, PLLC**  
301 N. 200 E. Suite 3C  
St. George, UT 84770  
Phone: (435) 673-9990  
Fax: (435) 673-9989  
[kigan@stginjurylaw.com](mailto:kigan@stginjurylaw.com)  
[nate@stginjurylaw.com](mailto:nate@stginjurylaw.com)  
*Attorneys for Plaintiff*

---

IN THE FIFTH JUDICIAL DISTRICT COURT

IN AND FOR WASHINGTON COUNTY, STATE OF UTAH

---

TREVOR V. POPE,

Plaintiff,

v.

VM GLOBAL TRANSPORT, LLC, a  
California Corporation, and MARCO C.  
ORDUNO,

Defendants.

**REQUEST TO SUBMIT FOR DECISION  
RE  
MOTION TO SERVE DEFENDANTS  
VIA ALTERNATIVE MEANS  
PURSUANT TO RULE 4, URCP**

Civil No. 220500415

Judge Jeffrey C. Wilcox

---

Plaintiff, Trevor V. Pope, by and through his counsel of record Kigan Martineau and Nathan Langston of McMullin Injury Law, hereby submits this Request to Submit for Decision regarding Plaintiff's motion to allow service of the Summons and Complaint on Defendants VM Global Transport, LLC, and Marco C. Orduno, VM Global Transport's driver, by alternative means. Pursuant to Rule 7(l), this motion can be decided without waiting for a response. And because Defendants are not represented have not been served yet, no responsive briefing is expected. The issues is now ripe and can be decided upon by the Court.

DATED this 9<sup>th</sup> day of August, 2022.

McMULLIN INJURY LAW

*/s/ Nathan Langston*

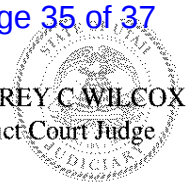
---

Nathan Langston  
Attorney for Plaintiff

The Order of the Court is stated below:

Dated: August 11, 2022  
11:35:44 AM

/s/ JEFFREY C WILCOX  
District Court Judge



Kigan Martineau, Bar #15299  
Nathan Langston, Bar #13785  
**McMULLIN INJURY LAW, PLLC**  
301 N. 200 E. Suite 3C  
St. George, UT 84770  
Phone: (435) 673-9990  
Fax: (435) 673-9989  
[kigan@stginjurylaw.com](mailto:kigan@stginjurylaw.com)  
[nate@stginjurylaw.com](mailto:nate@stginjurylaw.com)  
*Attorneys for Plaintiff*

IN THE FIFTH JUDICIAL DISTRICT COURT  
IN AND FOR WASHINGTON COUNTY, STATE OF UTAH

|   |  |
|---|--|
| <p>TREVOR V. POPE,</p> <p>Plaintiff,</p> <p>v.</p> <p>VM GLOBAL TRANSPORT, LLC, a<br/>California Corporation, and MARCO C.<br/>ORDUNO,</p> <p>Defendants.</p> | <p><b>ORDER GRANTING PLAINTIFF'S EX<br/>PARTE MOTION TO SERVE<br/>DEFENDANTS VIA ALTERNATIVE<br/>MEANS</b></p> <p>Civil No. 220500415</p> <p>Judge Jeffrey C. Wilcox</p> |
|---|--|

The Court, having reviewed *Plaintiff's Ex Parte Motion to Serve Defendants Via Alternative Means Pursuant to Rule 4, U.R.C.P.*, and finding good cause therefor,

IT IS HEREBY ORDERED that Plaintiff may serve Defendants by Faxing a copy of the Summons and Complaint and this Order to claims representative Alejandro Castro c/o Qualitas Insurance Company at 619-566-7977. Confirmation that the Fax went through will constitute proof of service. Defendants will have 30 days to file a responsive pleading.

**\*\*\* Executed and entered by the Court as indicated at the top of the first page \*\*\***

FIFTH DISTRICT COURT-ST GEORGE  
WASHINGTON COUNTY, STATE OF UTAH

TREVOR POPE vs. MARCO C ORDUNO et al.

CASE NUMBER 220500415 Automobile Tort

---

CURRENT ASSIGNED JUDGE  
JEFFREY C WILCOX

PARTIES

Plaintiff - TREVOR POPE  
Represented by: NATHAN LANGSTON

Defendant - MARCO C ORDUNO

Defendant - VM GLOBAL TRANSPORT LLC

ACCOUNT SUMMARY

|   |        |
|---|--------|
| Total Revenue Amount Due:                   | 375.00 |
| Amount Paid:                                | 375.00 |
| Amount Credit:                              | 0.00   |
| Balance:                                    | 0.00   |
| REVENUE DETAIL - TYPE: COMPLAINT - NO AMT S |        |
| Original Amount Due:                        | 375.00 |
| Amended Amount Due:                         | 375.00 |
| Amount Paid:                                | 375.00 |
| Amount Credit:                              | 0.00   |
| Balance:                                    | 0.00   |

CASE NOTE

PROCEEDINGS

07-11-2022 Filed: Complaint Tier III  
07-11-2022 Case filed by efiler  
07-11-2022 Fee Account created Total Due: 375.00  
07-11-2022 COMPLAINT - NO AMT S Payment Received: 375.00  
07-11-2022 Judge JEFFREY C WILCOX assigned.  
07-11-2022 Filed: Return of Electronic Notification  
08-09-2022 Filed: Motion For Alternative Service  
Filed by: TREVOR POPE  
08-09-2022 Filed: Request/Notice to Submit Re Plaintiffs Motion for Alternative Service  
08-09-2022 Filed: Order (Proposed) Granting Plaintiffs Motion for Alternative Service  
08-09-2022 Filed: Return of Electronic Notification  
08-11-2022 Filed order: Order Granting Plaintiffs Motion for Alternative Service  
Judge JEFFREY C WILCOX  
Signed August 11, 2022  
08-11-2022 Filed: Return of Electronic Notification

09-20-2022 Filed: Notice of Filing Notice of Removal  
09-20-2022 Filed: Return of Electronic Notification